

Wetlands Applications Decision Report

Decisions Taken
11/20/2017 to 11/26/2017

MAT
renewed
1/2/18

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2017-02258

CHASE REALTY TRUST

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Dredge 36 cubic yards from 1,022 square feet of lakebed and impact 2,203 square feet of bank along 47 linear feet of shoreline to construct an 899 square foot boathouse and 6 foot x 30 foot piling pier, dredge 27 square feet of lakebed and impact 2,344 square feet of bank along 60 linear feet of bank to construct an 890 square foot perched beach with 6 foot wide stairs to the water on an average of 415 feet of shoreline frontage along Lake Winnepesaukee, near the Barber's Pole, in Tuftonboro.

Conservation Commission/Staff Comments:

8/31/17 Con. Com. made a site visit and has no objections to the issuance of a permit.
9-19-17 - No historic properties affected per DHR.

APPROVE PERMIT

Dredge 36 cubic yards from 1,022 square feet of lakebed and impact 2,203 square feet of bank along 47 linear feet of shoreline to construct an 899 square foot boathouse and 6 foot x 30 foot piling pier, dredge 27 square feet of lakebed and impact 2,344 square feet of bank along 60 linear feet of bank to construct an 890 square foot perched beach with 6 foot wide stairs to the water on an average of 415 feet of shoreline frontage along Lake Winnepesaukee, near the Barber's Pole, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with revised plans by White Mountain Survey & Engineering, Inc. dated October 23, 2017, as received by DES on October 24, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
11. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
12. No portion of the pier shall extend more than 30 feet from the façade of the dug-in boathouse.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.

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13. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
16. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
17. The boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elev. 524.32) above normal high water (Elev. 504.32).
18. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
19. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
20. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(g), dredge of more than 20 cubic yards of material from public waters.
 2. The applicant has an average of 415 feet of shoreline frontage along Lake Winnepesaukee.
 3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
 4. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2017-02307

MAHER, LEONA/ROBERT

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Remove a 2 foot x 30 foot seasonal pier and 4 foot x 10 foot wharf, install four 6 foot x 26 foot seasonal piers connected by a 4 foot x 60 foot wharf accessed by a 6 foot x 10 foot walkway along an average of 358 feet of frontage along Lake Winnepesaukee, on Ganzy Island, in Moultonborough.

APPROVE PERMIT

Remove a 2 foot x 30 foot seasonal pier and 4 foot x 10 foot wharf, install four 6 foot x 26 foot seasonal piers connected by a 4 foot x 60 foot wharf accessed by a 6 foot x 10 foot walkway along an average of 358 feet of frontage along Lake Winnepesaukee, on Ganzy Island, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated July 14, 2017, as received by DES on August 3, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

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6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the docking structures shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).
9. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
 2. The applicant has an average of 358 feet of frontage along Lake Winnepesaukee.
 3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
 4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
 6. The proposed location of the docks is not within the primary navigational channel between Ganzy Island and the mainland shore.
- Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2017-02723

BYRNE, JOSEPH T/NANCY E

ALTON MERRYMEETING RIVER

Requested Action:

Impact 550 square feet to replace 8 linear feet failed retaining wall, install coir logs and plantings along 66 linear feet of bank, and replace 29 linear feet of concrete retaining wall on three contiguous frontages having a total of 244 feet of frontage along the Merrymeeting River in Alton.

Conservation Commission/Staff Comments:

9/18/17 No hold was placed on this application prior to the Con. Com. issuing their comments. They question to stabilization until the shrubs grow. Use jute matting for stabilization?
9-21-17 - No historic properties affected per DHR.

APPROVE PERMIT

Impact 550 square feet to replace 8 linear feet failed retaining wall, install coir logs and plantings along 66 linear feet of bank, and replace 29 linear feet of concrete retaining wall on three contiguous frontages having a total of 244 feet of frontage along the Merrymeeting River in Alton.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated August 18, 2017, as received by DES on September 11, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-WVq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
9. Work shall be done during low flow.
10. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
12. Trees that are stabilizing slopes and banks of the river shall not be disturbed.
13. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
14. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
15. All work shall be done from the top of the bank only.
16. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
21. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.
22. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
23. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers as shown on the approved plan.
24. The river banks and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to DES.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on [date]. Field inspection determined ...

2017-02786

CONCORD, CITY OF

CONCORD Unnamed Stream

Requested Action:

Dredge and fill 835 square feet of emergent marsh for construction of Phase 1 of the Merrimack River Greenway Trail. Phase 1 includes construction of a 160-foot long by 10-foot wide multiuse trail and a 100-foot long by 12-foot wide raised wooden boardwalk with a 16-foot wide observation platform.

Conservation Commission/Staff Comments:

9/14/17 Per DHR, some portions of the trail exhibit archeological sensitivity.

APPROVE PERMIT

Dredge and fill 835 square feet of emergent marsh for construction of Phase 1 of the Merrimack River Greenway Trail. Phase 1 includes construction of a 160-foot long by 10-foot wide multiuse trail and a 100-foot long by 12-foot wide raised wooden boardwalk with a 16-foot wide observation platform.

With Conditions:

1. All work shall be in accordance with plans by VHB titled Wetland Permitting Plan dated September 2017 as received by NHDES on September 14, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Any slope stabilizing materials must be free from plastic or other non-biodegradable materials that create a mesh that can impact wildlife. Coco matting and other natural fibers are acceptable. The product should be equivalent to American Green (NAG style C12BN 100% biodegradable coconut fiber mat or equal as reviewed and approved by the project designer.
7. Mature tree removal shall be limited to red maple and quaking aspen as they are not the preferred perching or nesting species for bald eagle.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction.
9. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. Temporary erosion and sediment control products must be promptly removed from the project site once project areas have been stabilized.
12. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
13. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate hazardous material spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Planting areas shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to NHDES.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
19. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

With Findings:

1. This is a Minor impact project per Administrative Rule 303.03(h), Projects involving less than 20,000 square feet of

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alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.03(f).

2. The proposed project includes Phase 1 of a multi-phased project for construction of the proposed Merrimack River Greenway Trail. Phase I construction includes the 160-foot paved multiuse trail and a 100-foot long raised 12' wide boardwalk with a 16-foot wide observation platform. The City plans to eventually extend the Phase 1 project north to Loudon Road.

Alternative alignments for Phase 2 were studied and presented to NHDES. A separate application for the construction of Phase 2 is planned to be submitted. The impacts associated with future phases of the project will be considered cumulative.

3. The portion of the Merrimack River Greenway Trail project is proposed for public use as part of a continuous non-motorized multi-use trail connecting Salem, NH to Lebanon, NH along a single 114-mile contiguous trail. The proposed trail would be ADA accessible and is intended for recreational use, nature and wildlife observation and education.

4. The boardwalk will be constructed using top-down methods to minimize impact to the emergent wetland along the Merrimack River and will use conventional wood decking and rails that are acceptable by NHDES for dock construction. The location of the path within the larger MRGT is reportedly limited within this portion of the trail as the alignment is constrained by an unnamed stream, the Merrimack River, the landfill and Old Turnpike Road. The existing stream crossing will be utilized.

5. The project phase includes construction of a 160 foot long by 10 foot wide multiuse trail and a 100 foot long by 12 wide raised wooden boardwalk with a 16-foot wide observation platform

6. The height of the boardwalk over wetland areas would be approximately 4 feet. The boardwalk is proposed at approximate elevation 230 feet which is approximately 1 foot lower than the 100-year base flood elevation. The agent indicates the ice elevation is typically at or below 228 feet which is approximately 3 feet lower than the 100-year base flood elevation. The boardwalk is proposed to extend toward a cove of the Merrimack River that experiences minimal current, and therefore was not expected to impede the flow of ice or floodwaters.

7. The proposed project will use an existing stream crossing to carry the multi-use path over the unnamed perennial stream located within the project area. The unnamed perennial stream is a Tier 2 stream with a watershed of 428.8 acres, no alterations are proposed for the existing culvert.

8. The New Hampshire Natural Heritage Bureau NHB Datacheck Results Letter dated July 31, 2017 identified the Bald Eagle, Northern Black Racer, Northern Leopard Frog, Brook Floater Mussel, Sora and the Wood Turtle in the vicinity of the project area. The New Hampshire Fish & Game (NHFG) does not expect impacts to the endangered Brook Floater Mussel. Impacts to the bald eagle are not expected if mature tree removal is limited to red maple and quaking aspen as they are not the preferred perching or nesting species for bald eagle. Impacts to Sora are not expected. Impacts to northern black racer as they are associated with other resource area types although use of welded plastic erosion control netting should be avoided. The NHFG expects impacts to northern leopard frogs to be minimal. The NHFG responded in an email dated August 4, 2017 that there are no concerns regarding impacts to the wood turtle.

9. Any proposed extension of the Merrimack River Greenway Trail will require further review from NHFG. NHFG recommends that future phases of the 10 foot wide paved trail be located out of the floodplain and riverine wetlands to avoid potential impacts to the above listed species and significant fragmentation of the existing riparian wildlife corridor. The tree removal and avoidance of welded plastic erosion control recommendations have been included as conditions of the permit.

10. The United States Department of Interior Fish and Wildlife Service identified the Northern long-eared bat, Karner blue butterfly, small whorled pogonia in the geographical area. There are no critical habitats located within the project area per letter dated July 26, 2017. The USFWS was consulted and concurred that impacts to the Karner blue butterfly and small whorled pogonia are not anticipated per email dated August 3, 2017.

11. The New Hampshire Division of Historical Resources has reviewed the proposed project and determined there is no potential to cause effects. A revised response was provided for the 250' LWCF funding. The remaining portions of the trail exhibit areas of archeological sensitivity per letter dated July 24, 2017.

12. The Upper Merrimack River Local Advisory Committee has reviewed the proposed project with comments dated October 20, 2017. The asphalt path portion is proposed outside of NHDES jurisdiction. the agent has designed the surface and width in accordance with AASHTO design guide. The property Owner has signed the permit application. The applicant has attempted to address concerns with ice flow and debris through proposed boardwalk elevation and location of boardwalk within a protected area of the river. Fill in floodplain is reviewed per the Army Corps of Engineers Programmatic General Permit. The permit conditions require invasive plant species management, minimum planting survivability rates, and avoidance of erosion control products containing plastic netting. The agent has provided response to the UMRAC.

EXPEDITED MINIMUM

2017-02944

KEENE PUBLIC WORKS DEPT, CITY OF

KEENE BLACK BROOK

11/20/2017 to 11/26/2017

Requested Action:

Dredge and fill 480 square feet (SF) within the bed and 320 SF within the banks of Black Brook (impacting 60 linear feet of bed and bank) to replace an 8-inch municipal water main. All impacts are temporary.

APPROVE PERMIT

Dredge and fill 480 square feet (SF) within the bed and 320 SF within the banks of Black Brook (impacting 60 linear feet of bed and bank) to replace an 8-inch municipal water main. All impacts are temporary.

With Conditions:

1. This permit is not valid until the NH Department of Environmental Services Wetlands Bureau receives a final plan, suitable for construction.
2. The final plan shall include all measures of temporary diversion and dewatering, as well as be stamped by a Licensed Professional Engineer, in accordance with New Hampshire Administrative Rule Env-Wt 303.04(I).
3. The temporary diversion strategy shall be designed in such a way as to maintain existing low flows downstream of the project area.
4. At such time when the final plan is received and reviewed by DES, all work shall be conducted in accordance with the final approved plan.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
8. All work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
9. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel.
10. The permittee/permittee's contractor shall restore the banks to their original grades and to a stable condition within three days of completion of construction. Angular rock shall not be used.
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
12. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
13. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
14. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
16. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
18. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
19. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
20. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
21. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

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22. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
23. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
24. Erosion control products shall be installed per manufacturers recommended specifications.
25. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
26. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
27. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
28. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
29. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
30. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3 -inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
31. Any fill used shall be clean sand, gravel, rock, or other suitable material.
32. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
33. Only native plant species shall be used to revegetate the riverbank.
34. The river banks and buffer plantings shall have at least 75% successful establishment after two (2) growing seasons. If it does not, it shall be replanted and re-established in a manner satisfactory to DES.
35. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
36. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(k), alteration of between 50 and 200 linear feet of a perennial nontidal stream and its banks.
2. This permit is not valid until the NH Department of Environmental Services Wetlands Bureau receives a final plan, suitable for construction, containing all means of temporary diversion and dewatering.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing water main is leaking and needs to be replaced.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. All impacts are temporary and the stream bed and banks will be restored to pre-existing conditions upon completion of the work.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-1911) stated that there are no recorded occurrences for sensitive species near this project area.
8. No comments of concern were received by DES from abutters or local governing organizations.

2017-03158

FAIRWAY VILLAGE CONDO ASSOCIATION

CARROLL

Requested Action:

Temporarily impact 340 square feet of an unnamed perennial stream (tier 1, impacting 40 linear feet) to remove an existing failed 24 inch diameter by 30 foot long culvert and create a grassed channel in its place.

11/20/2017 to 11/26/2017

APPROVE PERMIT

Temporarily impact 340 square feet of an unnamed perennial stream (tier 1, impacting 40 linear feet) to remove an existing failed 24 inch diameter by 30 foot long culvert and create a grassed channel in its place.

With Conditions:

1. All work shall be in accordance with plans by B. Dexter Lefavour dated October 18, 2017 and revised through November 21, 2017, as received by the Department on November 21, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
4. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. All temporarily stockpiled material shall be placed outside any area that is within the jurisdiction of the DES Wetlands Bureau.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Erosion control products shall be installed per manufacturers recommended specifications.
Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
13. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The culvert has failed and needs to be removed to reestablish proper flow.
5. The applicant has proposed removing the culvert and leaving a grass channel in its place.
6. The applicant has demonstrated by plan and examples that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation has been considered in the design of the project.
7. Permission has been granted to the applicant to conduct work within 20 feet of the abutting property.
8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB17-2940) stated that there are no recorded occurrences for sensitive species near this project area.

2017-03195

HAMPTON HARBOR CONDOS

HAMPTON

Requested Action:

Temporarily impact 120 square feet within the previously-developed 100-foot tidal buffer zone for the installation of large stones as headwalls around an existing tide gate to stabilize the surrounding area to prevent blockage from stone/debris and allow for continued usefulness.

11/20/2017 to 11/26/2017

APPROVE PERMIT

Temporarily impact 120 square feet within the previously-developed 100-foot tidal buffer zone for the installation of large stones as headwalls around an existing tide gate to stabilize the surrounding area to prevent blockage from stone/debris and allow for continued usefulness.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (NHDES) on November 21, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the NHDES Wetlands Program and the Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. Work shall be done during low tide only.
6. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. No concrete is to be used anywhere in the construction of the stone headwalls. All stone shall be dry laid or placed stone underlain with filter fabric.
10. Any stone used in the construction or repair of a seawall or revetment shall be of suitable size and weight to assure that the structure is stable and will withstand ocean storm wave energy anticipated at this location.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively
2. Currently, the tide gate does not function properly and remains open and/or blocked allowing in-coming tides to flood a nearby stormwater structure and reducing the stormwater structures effectiveness; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts are occurring within the previously-developed 100-foot tidal buffer zone. Work will be performed at low tide only; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Hampton Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

PERMIT BY NOTIFICATION

2017-03193

**KOSTA, JOHN
ACT FIVE LLC
ACT FIVE LLC**

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Modification of an existing retaining wall.

PBN DISQUALIFIED

Modification of an existing retaining wall.

With Findings:

1. The project as proposed includes modifications to the configuration of the existing structures that do not comply with the requirements of Rule Env-Wt 303.04 (c) therefore this project is disqualified from the Permit by Notification Process.

2017-03418

**GREATER BOSTON YMCA
YMCA OF GREATER BOSTON**

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Repair and replace in-kind existing 150 ft. X 2 ft. X 3 ft. 4 in. retaining wall and imbedded steps with the replacement in-kind of the existing 3 ft. wide. wooden deck water access according to plan drawings received by NHDES on 11/20/2017 on frontage along Lake Winnepesaukee in Tuftonboro.

PBN IS COMPLETE

Repair and replace in-kind existing 150 ft. X 2 ft. X 3 ft. 4 in. retaining wall and imbedded steps with the replacement in-kind of the existing 3 ft. wide. wooden deck water access according to plan drawings received by NHDES on 11/20/2017 on frontage along Lake Winnepesaukee in Tuftonboro.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If this wall is to be refaced such additional width shall not exceed 6 inches.

FORESTRY NOTIFICATION

2017-03361

REED, BARBARA/THOMAS

GILMANTON

COMPLETE NOTIFICATION
GILMANTON; TAX MAP# 405; LOT(S)# 66, 67

2017-03412 ANDREW AND MATTHEW, CIARDELLI TRUST

MILFORD Unnamed Stream

COMPLETE NOTIFICATION
MILFORD; TAX MAP# H7; BLOCK# 57; LOT(S)# 10,11,3

2017-03415 COLE, RANDEL

FREEDOM Unnamed Stream

COMPLETE NOTIFICATION
FREEDOM; TAX MAP# 12; LOT(S)# 26, 28

2017-03424 WAGNER JR, ALAN

SOUTH SUTTON Unnamed Stream

COMPLETE NOTIFICATION
SOUTH SUTTON; TAX MAP# 1; LOT# 757; BLOCK 188

2017-03442 NORTH RIVER ROAD PROPERTIES

LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
LYNDEBOROUGH; TAX MAP# 220; LOT# 17

2017-03443

BALL DESIGN BUILD LLC

FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION
FRANCESTOWN; TAX MAP# 2; LOT# 3-1

2017-03450

LAWRENCE, ANN MARIE

DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION
DEERFIELD; TAX MAP# 419; LOT# 42

GOLD DREDGE

2017-03448

WILDER, BRYAN

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Gold Dredge

SHORELAND PERMIT

2017-03040

PETERS, JOHN

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Impact 1,505 square feet of protected shoreland in order to install a 9' x 9' addition, new septic system and driveway expansion.

Conservation Commission/Staff Comments:

Applicant sent a PBN for the project, but because the work requires a more nearly conforming request, it must be reviewed as a Shoreland Application. The applicant will send in a complete Shoreland Application, but the fee and file # from the PBN are being applied to the application.

APPROVE PERMIT

Impact 1,505 square feet of protected shoreland in order to install a 9' x 9' addition, new septic system and driveway expansion.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 17, 2017 and received by the NH Department of Environmental Services (NHDES) on October 20, 2017.
2. The proposed septic system may not be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. No additional bedrooms shall be constructed until the project is approved by the NHDES Subsurface Systems Bureau.
4. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. Native vegetation within an area of at least 430 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
8. No impacts to natural ground cover shall occur within the waterfront buffer.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
14. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
15. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03199

STOWELL, DOROTHY
VONGSAY, AIR

MILTON NORTHEAST POND

Requested Action:

Impact 11,181 square feet (SF) of protected shoreland in order to construct a duplex primary structure with a garage and driveway in the place of a recently razed structure, raze a secondary structure, install a well and septic system.

APPROVE PERMIT

Impact 11,181 square feet (SF) of protected shoreland in order to construct a duplex primary structure with a garage and driveway in the place of a recently razed structure, raze a secondary structure, install a well and septic system.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated October 2017 and received by the NH Department of Environmental Services (NHDES) on October 27, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 11.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 5,575 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03201

HILLIS, WILLIAM

RINDGE ROBBINS POND

Requested Action:

Impact 17,981 square feet of protected shoreland in order to construct a primary structure, driveway, and septic system.

APPROVE PERMIT

Impact 17,981 square feet of protected shoreland in order to construct a primary structure, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated September 27, 2017 and received by the NH Department of Environmental Services (NHDES) on October 27, 2017.

11/20/2017 to 11/26/2017

2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. Native vegetation within an area of at least 148,104 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03203

KEHOE, MICHAEL

GILMANTON SAWYER LAKE

Requested Action:

Impact 6,269 square feet of protected shoreland in order to remove stumps from a previously cleared area, add an 18 ft. x 22 ft. gravel parking area, grade and loam seed.

APPROVE PERMIT

Impact 6,269 square feet of protected shoreland in order to remove stumps from a previously cleared area, add an 18 ft. x 22 ft. gravel parking area, grade and loam seed.

With Conditions:

1. All work shall be in accordance with plans by Clearwater Septic Designs, LLC dated October 25, 2017 and received by the NH Department of Environmental Services (NHDES) on October 27, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

11/20/2017 to 11/26/2017

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).